



OIPE
DEC 27 2004
RECEIVED
UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
FISH & RICHARDSON P.C.
AUG 19 2004
LOUIS MYERS

BEST AVAILABLE COPY

Page 1 of 2

10280-110001
EX-PLM

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

L3L
R/CT

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/661,156	09/11/2003	Aaron K. Sato	3421.1012-006

CONFIRMATION NO. 6772

021005
HAMILTON, BROOK, SMITH & REYNOLDS P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

12/28/2004 HGUTIERA1 00000074 10661156

-01 FC:1011
-02 FC:1111
-03 FC:1311
-04 FC:1201
-05 FC:1202
-06 FC:1203
-07 FC:1051

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Docketed By Practice Systems FORMALITIES LETTER

Action Code: Missing Part 1 See

Base Date: 7/22/04

OC000000013312200*

Due Date: 9/22/04

Deadline: 1/22/05

Initial: LST

Date Mailed: 07/22/2004

Docketed By Billing Secretary

Due Date:

7/22/04

Deadline:

9/22/04

Initials:

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$10294** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$11194** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$10294**
 - **\$2408** for **28** independent claims over **3**.
 - **\$7596** for **422** total claims over **20**.
 - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Y.G.
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY

Inventor(s): Aaron K. Sato et al.
 Serial No.: 10/661,156
 Confirmation No.: 6772
 Filed: September 11, 2003



CHECK BOX, if applicable:

For: KDR AND VEGF/KDR BINDING PEPTIDES AND
THEIR USE IN DIAGNOSIS AND THERAPY

 DUPLICATE

Fee Calculation Sheet

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEES
	TOTAL CLAIMS (37 CFR 1.16(i))	35-20 =	15 x	\$ 50.00	= \$ 750.00
	INDEPENDENT CLAIMS (37 CFR 1.16(h))	11-3 =	8 x	\$ 200.00	= \$ 1,600.00
	APPLICATION SIZE FEE (37 CFR 1.16(s))	(-100) / 50 =	0 x	\$ 250.00	= \$ 0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) +			\$ 360.00	= \$ 360.00
				BASIC FEE (37 CFR 1.16(a), (b), or (c))	\$ 300.00
				SEARCH FEE (37 CFR 1.16(k), (l), or (m))	\$ 500.00
				EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	\$ 200.00
				Fee for Petition for Extension of Time (if any)	\$ 1020.00
				Other Fees (if any)	\$ 130.00
				Total of above Calculations =	\$ 4,860.00
				Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)	\$ 0.00
				Assignment Recordation Fee (if any)	\$ 0.00
				TOTAL =	\$ 4,860.00

1. A check in the amount of \$4,860.00 is enclosed.

General Authorization to Charge Deposit Account and General Request for Extension of Time

2. a. If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§ 1.16 or 1.17, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.
- b. The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§ 1.16 1.17 or 1.18.
3. If the filing of any paper in this application necessitates an extension of time under 37 CFR § 1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

12/28/2004 HOUTEMAI 00000015 10661156

-06 FC:1253

1020.00 OP

Michael T. Siekman, Reg. No. 36,276
 Wolf, Greenfield & Sacks, P.C.
 600 Atlantic Avenue
 Boston, Massachusetts 02210-2206
 Telephone: (617) 646-8000

Docket No.: D0617.70012US00
 Date: December 22, 2004
 854001.1

12/30/2004 HOUTEMAI 00000074 10661156
 06 FC:1253

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Aaron K. Sato et al.
 Serial No.: 10/661,156
 Confirmation No.: 6772
 Filed: September 11, 2003
 For: KDR AND VEGF/KDR BINDING PEPTIDES AND THEIR USE IN
 DIAGNOSIS AND THERAPY
 Examiner: Not Yet Assigned
 Art Unit: Not Yet Assigned

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 22nd day of December, 2004.

Melissa L. Barlow Lyons
Melissa L. Barlow Lyons

MAIL STOP Missing Parts
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- **Part 2 - Notice to File Missing Parts**
- **Preliminary Amendment and Fee Sheet**
- **Declaration (executed by all inventors) – Three total**
- **Sequence Listing Statement**
- **Sequence Listing – diskette and paper copy**
- **Return Receipt Postcard**

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$4860.00 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Aaron K. Sato et al., Applicant

By:

Michael T. Siekman

Michael T. Siekman, Reg. No.: 36,276
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: D0617.70012US00
Date: December 22, 2004
x12/22/04x